MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.279 OF 2005

Smt.Nayan Surendra Kadam Petitioner
versus
Surendra Yashwant Kadam & anr. Respondents

Mr.Sagar Joshi i/by Mr.Ambar Joshi for petitioner.

Mr.V.Y.Jadhav for respondent no.1.

CORAM : A.S.OKA, J.

DATE : 02nd April 2007

PC :

1. Heard advocates appearing for the parties. Learned advocate for the first respondent states that the first respondent has deposited the following amounts in this Court:-

a) Rs.10,000/- on 21.2.2005;

b) Rs.30,000/- on 13.3.2007;

c) Rs.23,500/- 28.3.2007.

He states that a Demand Draft in the sum of Rs.23,500/- in the name of Registrar General of this court is kept ready by the first respondent

and the same will be deposited in this Court within a period of one week from today.

2. The statement made by the learned advocate for the first respondent is accepted. Thus, there is compliance with the order dated 24th November 2004 passed by this Court of which the breach has been alleged. There is a delay on the part of the respondent in complying with the order. However, in view of subsequent compliance, it is not necessary to proceed further against the first respondent under the Contempt of Courts Act, 1971.

3. Hence, I pass following order :-

(a) Contempt notice issued to first respondent is discharged and the contempt petition is disposed of;

(b) Statement made by the advocate of the first respondent to deposit a sum of Rs.23,500/- (Rs.Twenty three thousand five hundred only) in this Court is accepted. The deposit shall be made within a period of two weeks from today;

(c) Petitioner will be entitled to withdraw all the amounts deposited by the first respondent in this Court;

(d) There will be no orders as to costs.

(A.S.OKA, J.)